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JAN 18 2007

FACSIMILE MESSAGE

Date: January 18, 2007
To: Examiner Frederick C. Nicolas
Serial No.: 10/615,997
Re: _____

To Fax No: (571) 273-8300
From: Robert A. Lloyd
Our Ref: IMI 40075
Total Pages: 3

Dear Examiner Nicolas:

Attached is a Confirmation of a January 18, 2007 telephone conference.

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Application No. 10/615,997
Confirmation of Telephone Conference of January 18, 2007

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of
Terrence R. Davis) Examiner: Frederick C. Nicolas
Serial No. 10/615,997) Group Art Unit 3754
Filed: July 8, 2003) Attorney Docket IMI 40075
For: Beverage Dispense)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CONFIRMATION OF A JANUARY 18, 2007
TELEPHONE CONFERENCE WITH THE EXAMINER

On January 18, 2007, applicant's undersigned attorney had a telephone conference with the examiner about a September 19, 2006 Office Action in the subject patent application, a December 18, 2006 amendment that was filed in response to the Action, and a January 10, 2007 Advisory Action.

The September 19, 2006 Office Action in was marked on its face as "non-final". Applicant's December 18, 2006 amendment in response to the Action therefore amended the application claims in a manner believed to overcome the rejections set forth in the Action. The January 10, 2007 Advisory Action, however, treats the December 18 amendment as being filed after a "final" rejection, as failing to place the

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application in condition for allowance, and as raising new issues that would require further search. It was therefore stated in the Advisory Action that the amendment was not entered

In the course of the telephone conference, the examiner agreed that the September 19, 2006 Office Action was actually made "non-final", and that the Advisory Action was in error in treating it as a "final" Action. The examiner therefore indicated that he would attend to correcting the Patent Office records and issue a fresh Office Action in the application.

Respectfully submitted,



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